

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re

BETTA PRODUCTS, INC.,

No. 03-10925

Debtor(s).

BETTA PRODUCTS, INC.,

Plaintiff(s),

v.

A.P. No. 05-1046

DISTRIBUTION SYSTEMS AND SERVICES,  
INC., aka DSS,

Defendant(s).

Memorandum and Order Amending Prior order

This court's order of October 20, 2006, contains an error. It refers to FRCP 21 when it should have read FRCP 42. Accordingly, to the extent the court has jurisdiction to do so, IT IS ORDERED that paragraph 2 of said order is amended to change "Fed.R.Civ.P. 21" to Fed.R.Civ.P. 42" and "Fed.R.Bankr.Proc. 7021" to "Fed.R.Bankr.Proc. 7042."

IT IS FURTHER ORDERED that, to the extent the court no longer has jurisdiction to correct its mistake due to the pending interlocutory appeal, this order shall be deemed an indication that it would amend its order if the matter is remanded. See *Crateo, Inc. v. Intermark, Inc.*, 536 F.2d 862, 869 (9<sup>th</sup> Cir. 1976).

Dated: November 5, 2007

  
Alan Jaroslovsky  
U.S. Bankruptcy Judge